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Attorney for David Nosal

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR-08-00237-MHP
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER CONTINUING
Vs.	)	STATUS HEARING
	)	
DAVID NOSAL,	)	
	)	Honorable Marilyn Hall Patel
Defendant.	)	
	)	
	)	
	)	

Defendant David Nosal, by and through his attorney Steven F. Gruel, and the United States of America, by and through its attorney, Kyle Waldinger, Assistant United States Attorney, hereby stipulate and respectfully request that the hearing date currently scheduled for April 27, 2009 at 10:00 a.m. should be continued to May 18, 2009 at 10:00 a.m.

The continuance is requested by the defense because defense counsel is currently participating in a trial in the Santa Clara Superior Court in San Jose. This trial, before the Honorable John Herlihy is scheduled to continue to mid-May 2009. There is no objection by the government in moving this date.

STIPULATION AND ~~[PROPOSED]~~ ORDER CONTINUING STATUS HEARING

1 The parties stipulate that additional time is necessary for continuity and effective preparation  
 2 of counsel, taking into account the exercise of due diligence, and the granting of such  
 3 continuance outweighs the best interests of the public and the defendant in a speedy trial  
 4 pursuant to the Speedy Trial Act, 18 USC 3161(h)(7)(A) and B(iv). Accordingly, the parties  
 5 stipulate that the time from April 27, 2009 through May 18, 2009 is excludable under the  
 6 Speedy Trial Act, 18 USC 3161(h)(7)(A) and B(iv).  
 7

8 SO STIPULATED:

9 DATED: 04/24/09

\_\_\_\_\_/s/\_\_\_\_\_  
 STEVEN F. GRUEL,  
 Attorney for David Nosal

12 DATED: 04/24/09

\_\_\_\_\_/s/\_\_\_\_\_  
 KYLE WALDINGER  
 Assistant United States Attorney

16 ~~PROPOSED~~ ORDER

17 PREDICATED on the above stipulation and GOOD CAUSE APPEARING, the  
 18 hearing date of April 27, 2009 at 10:00 a.m. is hereby continued to May 18, 2009 at 10:00 a.m.

19 FURTHER, the time under the Speedy Trial Act from April 27, 2009 through May 18,  
 20 2009 is hereby ordered excluded on the grounds set forth in the above stipulation. The parties  
 21 stipulate, and the Court so finds, that additional time is necessary for continuity and effective  
 22 preparation of counsel, taking into account the exercise of due diligence, and that the ends of  
 23 justice served by the granting of such continuance outweigh the best interests of the public and  
 24 the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 USC 3161(h)(7)(A) and  
 25 B(iv). Accordingly, the parties stipulate, and the Court so orders, that the time from April 27,

26 STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING STATUS HEARING

2009 through May 18, 2009 is excludable under the Speedy Trial Act, 18 USC 3161(h)(7)(A) and B(iv).

IT IS SO ORDERED.

DATED:

HONORABLE  
United States



STIPULATION AND [PROPOSED] ORDER CONTINUING STATUS HEARING